IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 12 OF 2000

Dr. Pandu C. Pungati ..Petitioner

Versus

The Medical Council of India and Ors. ... Respondents.

Mr. Manish Mistry, instructed by M/s. M.P. Vashi & Associates, for the petitioner.
None for the Respondents.

CORAM: **DALVEER BHANDARI, C.J.** & **S.J. VAZIFDAR, J.**

DATE: **JUNE 24, 2005**.

P.C.

The petitioner passed M.B.B.S. Examination in revaluation in the year 1978. The petitioner is aggrieved that there has been discriminatory action on the part of the third respondent, Lokmanya Tilak Municipal Medical College & Lokmanya Tilak Municipal General Hospital, Sion, in not condoning the shortfall of about four months in the petitioner completing the internship period to enable him to seek admission to the Post Graduate course leading to a Master's Degree in Medicine/Surgery. More than five to six years have lapsed, the respondents have not given instructions to its counsel. The respondents are not present. It seems that the respondents are not interested in

pursuing this matter any longer.

2. The petitioner has made the following prayers in this petition:

(a) (i) to forthwith accept the petitioner's application and consider him for interview for admission to postgraduate studies for the current academic year, according to rules framed in that behalf, without raising the objection that there is a shortfall in completion of petitioner's internship programme, the last date for receiving the applications being 12-7-99.

(ii) If successful in obtaining admission to the postgraduate course of studies, to permit the petitioner to complete the remaining days of his internship training programme after completion of his post graduate studies.

2. This petition was filed on 7th July, 1999, when the petitioner was desirous of doing postgraduate course. Now 5 to 6 years have lapsed. We do not know whether he had completed Post Graduate Course or had left the plan of pursuing Post Graduate Course. Most likely, by now, the petition must have become infructuous. In the facts and circumstances of this case, this petition is dismissed having become infructuous. However, liberty is granted to the petitioner in

case there is any surviving prayer.

CHIEF JUSTICE

S.J. VAZIFDAR, J.